

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN AVILA GUTIERREZ,

No. 2:23-cv-0646 AC P

Petitioner,

ORDER

v.

WARDEN F.C.I. HERLONG,

Respondent.

By order filed May 24, 2023, the petition was screened and found to not state a claim for relief. ECF No. 6. Petitioner was given thirty days to file an amended petition and cautioned that failure to do so would result in a recommendation that this action be dismissed. Id. at 3. Thirty days have now passed, and petitioner has not filed an amended petition or otherwise responded to the court's order. Petitioner will be given one final opportunity to file an amended petition.

Accordingly, IT IS HEREBY ORDERED that petitioner shall file an amended petition within twenty-one days of the service of this order. Failure to do so will result in a recommendation that this action be dismissed without further warning.

DATED: July 14, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE